

REMARKS/ARGUMENTS

The Abstract of the Disclosure has been amended in the manner proposed by the Examiner.

The claims have been rewritten in an effort to overcome the rejection under 35 U.S.C. 112, to provide proper antecedent language for all positively recited features and generally to conform to U. S. practice, including the proper sequencing of dependent claims. More particularly, "and/or" and "in particular" language has been avoided, being replaced in certain instances by added claims. As to the objection to "Hall effect," this is a well known and defined technical term, reference being made to page 718 of the McGraw Hill Dictionary of Scientific and Technical Terms, Second Edition, wherein "Hall effect" is defined as

The development of a transverse electric field in a current-carrying conductor placed in a magnetic field; ordinarily the conductor is positioned so that the magnetic field is perpendicular to the direction of current flow and the electric field is perpendicular to both.

Concerning GMR, it has been spelled out as Giant Magneto Resistive in Claim 21.

For the Examiner's guidance, it is noted that claims 17 and 18 correspond to claim 1, claim 19 to claim 2, claims 23 and 25 to claim 3, claim 26 to claim 4, claim 27 to claim 5,

claim 28 to claim 6, claims 20 and 21 to claim 7, claim 22 to claim 8, claim 24 to claim 9, claim 29 to claim 10, claims 30 and 31 to claim 11, claim 32 to claim 12, claim 33 to claim 13, claim 34 to claim 14, claim 35 to claim 15, and claims 37 and 37 to claim 16.

If applied to independent claim 18, the rejection of the claim as being unpatentable under 35 U.S.C. 103(a) over Rohrmoser in view of Hopkins, both cited, is respectfully traversed. According to claim 18, an electronic evaluation device is provided in the toe binding and in the heel binding, each electronic evaluation device has its separate power supply systeme, and there is a transmitter and receiver device for each electronic evaluation device for a wireless, one-way or two-way data or signal transmission therebetween. These features are not suggested by the cited patents.

Rohrmoser's monitoring and/or controlling device for a ski binding comprises a visible and/or acoustic display device, a measuring device and an energy source. When used in a pair of ski bindings, the devices can exchange information by wireless transmissions, which may match each other. This information may be used to match the skis of the pair, or if they do not match, this will be indicated to the user visually or audibly. As pointed out in col. 10, lines 17-35, of the patent, this

will avoid accidents caused by mismatched pairs.

The energy source may be housed in a chamber in the ski, an intermediate plate and/or in the binding itself. It may also be provided in a shoe and is preferably connected to the monitoring and/or controlling device by a device for the wireless transmission of energy. Furthermore, the energy source may be comprised of solar cells. According to col. 5, lines 16-22, of the patent, the monitoring and/or controlling device is connected with the measuring device at least by one line channel integrated in the ski and/or the intermediate plate and cable lines arranged in the channel.

Hopkins describes an electric ski binding system with magnetic interfaces and a microprocessor. A permanent magnet is disposed in the toe and in the heel binding and a permanent magnet of opposite polarity is disposed in the toe and heel part of a shoe. The shoe is held on the toe and heel bindings by the permanent magnets. To release the shoe from the bindings, electromagnets are provided in the bindings. When they are switched on, they will deactivate the magnetic fields of the permanent magnets at least partially. The microprocessor controls the electromagnets and connects the electromagnets with an energy source by a switch (Fig. 3). In one embodiment, the microprocessor is disposed in the shoe.

The system is powered by a **single** energy source.

It is a primary object of the claimed invention to provide a safety ski binding in which operating states and settings pertaining to safety as well as of general interest are electronically detected and monitored, and which is structurally simple, cost-effective and functionally reliable for long periods despite its increased numbers of functions. This is accomplished with the claimed ski binding which has an electronic evaluation device in the toe binding and in the heel binding, with **each** electronic evaluation device having its **separate** power supply systeme, and a transmitter and receiver device for each electronic evaluation device for a wireless, one-way or two-way data or signal transmission **therebetween**. Nothing like this has been suggested by the art of record.

In Rohrmoser, a **single** energy source is provided and the patent does not suggest two separate power sources located in the toe and heel bindings. The same holds for Hopkins whose disclosure fails to suggest two such **separate** energy sources. As a matter of fact, Fig. 3 leads away from this feature since it illustrates a **single** energy source for the toe and heel bindings, which is connected by a **single** switch, controlled by the microprocessor, to the electromagnets in the toe and heel bindings.

One of the advantages of the claimed provision of **separate** power supply systems is that a relatively loss-free and trouble-free transmission of power to each evaluation device is assured. Also, the claimed transmitter and receiver device is able to transmit data wirelessly from the binding that carries no display device to the binding that carries it, only a **single** display device being provided. In this way, the data are cost-effectively and reliably displayed. Such a safety ski binding will operate reliably over a long period of time, even under adverse operating conditions. The wireless transmission of data between the separate electronic circuits in the toe and heel bindings avoid the risks typically encountered in cable transmissions, due to bad electrical contacts, for example. This does not only make the binding more reliable but also considerably reduces the construction costs, for example for providing insulations to avoid short-circuits, or costs for technically complex embodiments for transmitting electrical signals within variable distances between the toe and heel bindings. In other words, a number of technical problems are avoided by the claimed structure of a safety ski binding.

In a search report of the French Patent received by applicant's Austrian patent attorney on December 6, 2004, FR 2,823,986 A1 (copy enclosed with Form PTO-1449) was cited in the corresponding French application. It describes a safety

ski binding for detachably securing a ski boot to a ski, comprising a toe and a heel binding each having a body, a mobile cheek and an electronic circuit for measuring at least one parameter indicating the state of the binding, and a portion of the evaluation circuit may be disposed in the heel binding. The toe or heel binding has a display device. Data from one of the bindings may be transmitted to the other one by an electrical, optical or wireless connection to be displayed on the display device. Solar cells may be used as the power supply.

While this reference is pertinent to the claimed subject matter, it also fails to provide an electronic evaluation circuit with a trouble-free and efficient power supply with the above-described features and advantages.

In view of the above, claim 17 is respectfully submitted to be patentable over the art of record, and dependent claims 18-37 are believed to be allowable therewith.

A petition for a one-month extension for filing a response is attached hereto. Also, please charge the official fee of \$180.00 for late filing of the Information Disclosure Statement and \$ 50.00 for one claim over 20 to Deposit Account No. 03-2468.

Favorable reconsideration and allowance of claims 17-37
are respectfully solicited.

Respectfully submitted,
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Encls.: Form 1449 with reference
Request for extension of time

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on June 6, 2005.



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